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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TRUSTEES OF THE CONSTRUCTION
INDUSTRY AND LABORERS HEALTH
AND WELFARE TRUST; TRUSTEES OF
THE CONSTRUCTION INDUSTRY AND
LABORERS JOINT PENSION TRUST;
TRUSTEES OF THE CONSTRUCTION
INDUSTRY AND LABORERS VACATION
TRUST; AND THE TRUSTEES OF THE
SOUTHERN NEVADA LABORERS LOCAL
872 TRAINING TRUST,

Plaintiffs,

v.

PEEK CONSTRUCTION COMPANY, a
Nevada corporation, et al.,

Defendants.

CASE NO.: 2:12-cv-00644-KJD-RJJ

STIPULATED/CONSENT JUDGMENT

Peek Construction Company, a Nevada corporation ("Peek"), hereby stipulates and consents to entry of judgment in favor of Plaintiffs, Trustees of the Construction Industry and Laborers Health and Welfare Trust, Trustees of the Construction Industry and Laborers Joint Pension Trust, Trustees of the Construction Industry and Laborers Vacation Trust, and Trustees of the Southern Nevada Laborers Local 872 Training Trust (collective "Trust Funds"), and against Peek in the total sum of \$132,147 for delinquent employee benefit contributions and

related costs and fees owed under the Employee Retirement Income Security Act of 1974 ("ERISA").

The parties have stipulated and therefore the Court finds:

1. Peek is signatory to and bound by the terms of a collective bargaining agreement ("CBA") with the Laborers International Union of North America, Local No. 872 ("Union"), in which Peek agreed to abide by the trust agreements establishing the respective Trust Funds and any amendments thereto ("Trust Agreements").

2. Under the CBA and the Trust Agreements, Peek is obligated to pay employee benefit contributions to the Trust Funds on behalf of Peek's bargaining unit employees represented by the Union.

3. Based on a contract compliance review ("Audit") for the period of April 1, 2010 through May 31, 2012, Peek owes the Trust Funds \$132,147, which includes employee benefit contributions, liquidated damages, interest, audit fees and attorneys' fees to date.

4. This Stipulated/Consent Judgment is entered by and between Peek and the Trust Funds for employee benefit contributions and related costs owed to the Trust Funds by ERISA.

Dated: December 14, 2012

Dated: Dec 11, 2012

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

PEEK CONSTRUCTION COMPANY, a
Nevada corporation

[Signature]
Adam P. Segal, Esq.
Clark V. Vellis, Esq.
Bryce C. Loveland, Esq.
100 North City Parkway, Suite 1600
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Attorneys for Plaintiffs

[Signature]
Name: Michael P. [Signature]
Title: President
Telephone: _____
Facsimile: _____

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JUDGMENT

Judgment is hereby entered against Peek Construction Company, a Nevada corporation and in favor of the Trustees of the Construction Industry and Laborers Health and Welfare Trust, Trustees of the Construction Industry and Laborers Joint Pension Trust, Trustees of the Construction Industry and Laborers Vacation Trust, and Trustees of the Southern Nevada Laborers Local 872 Training Trust in the amount of \$132,147.

Dated this 18 day of December, 2012.

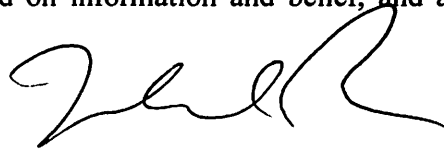


U.S. DISTRICT COURT JUDGE

STATE OF NEVADA)
COUNTY OF Clark) SS.

MICHAEL Peek, being first duly sworn, deposes and says:

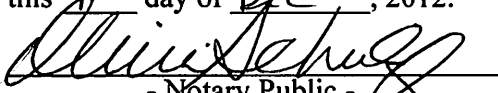
That he/~~she~~ is the President of Peek Construction Company, a Nevada corporation, and is duly authorized to execute this document; that he/she has read the foregoing Stipulated/Consent Judgment and knows the contents thereof; that the same is true of his/her own knowledge, except for those matters therein stated on information and belief, and as to those matters he/she believes them to be true.



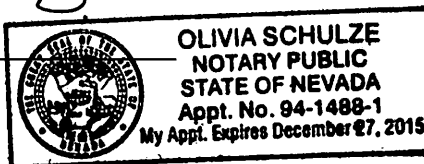
Affiant

Subscribed and Sworn to before me

this 11th day of Dec, 2012.


- Notary Public -

My commission expires:



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